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22 **Attorneys for Plaintiffs**
23 **VERIZON CALIFORNIA INC.**
24 **VERIZON TRADEMARK SERVICES LLC**
25 **VERIZON LICENSING COMPANY**

26 UNITED STATES DISTRICT COURT

27 NORTHERN DISTRICT OF CALIFORNIA

28 SAN JOSE DIVISION

VERIZON CALIFORNIA INC.;
VERIZON TRADEMARK SERVICES LLC;
and VERIZON LICENSING COMPANY,

Plaintiffs,

vs.

ONLINENIC INC.; and DOES 1-10,
Defendants.

Case No. CV 08-02832 JF

**DECLARATION OF JASON SMITH
IN SUPPORT OF PLAINTIFFS' EX
PARTE APPLICATION FOR AN
ORDER AUTHORIZING SERVICE
OF DEFENDANT ONLINENIC INC.
BY DELIVERY OF SUMMONS AND
COMPLAINT TO CALIFORNIA
SECRETARY OF STATE**

Hon. Jeremy Fogel

1 I, Jason Smith, declare as follows:

2 1. My name is Jason Smith. I am of legal age and sound mind, and I am competent
3 to make this declaration.

4 2. I am a professional process server employed by County Legal & Notary Service
5 in San Jose, California, and regularly serve legal documents in the greater San Francisco area.

6 3. I am not a party to the above-captioned litigation.

7 4. On June 24, 2008, I attempted to personally serve the Complaint, Summons, and
8 related court documents in the above-captioned case on OnlineNIC Inc., a corporation, or on
9 Rex Liu ("Liu"), as the Designated Agent for OnlineNIC Inc., at 2315 26th Avenue, San
10 Francisco, California ("2315 26th Avenue").

11 5. The property located at 2315 26th Avenue is a residence. The person who
12 answered the door at 2315 26th Avenue indicated that they were the current tenant of the
13 residence. This person further indicated that Liu was the landlord and owner of 2315 26th
14 Avenue. The tenant further informed me that OnlineNIC Inc. did not conduct business at 2315
15 26th Avenue, and that Liu did not conduct business or reside at the property. The tenant stated
16 that she sent monthly rental payments to Liu at a post office box in Oakland, California.

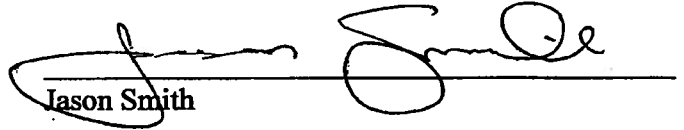
17 6. On June 27, 2008, I was instructed to serve the Complaint, Summons, and
18 related documents in the above-captioned case on OnlineNIC Inc. or Liu at 351 Embarcadero,
19 Oakland, California ("351 Embarcadero").

20 7. The property located at 351 Embarcadero appeared to be a warehouse housing
21 two businesses, Golden State Diesel Marine and 1-800-Radiator. Upon entering the property, I
22 was met by a secretary and an individual who appeared to be an employee for 1-800-Radiator
23 (the "Employee"). The Employee refused to give his name, and indicated that he had no
24 knowledge of OnlineNIC Inc. conducting business at the property. The Employee suggested
25 that Liu was his superior, but provided no specifics as to Liu's relationship with 1-800-Radiator.
26 The Employee indicated that he would be able to leave any documents in Liu's office, but that
27 he did not know when Liu would be available at the property. Unable to serve Liu personally, I
28

1 left the Complaint, Summons, and related documents in the above-captioned case with the the
2 Employee and request he deliver them to Liu.

3
4 I declare under penalty of perjury under the laws of the United States of America that
5 the foregoing is true and correct.

6 Executed this 21 day of August 2008 in San Jose, California.

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10 Jason Smith

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CERTIFICATE OF SERVICE

I certify that on September 3, 2008, pursuant to Federal Rules of Civil Procedure, a true and correct copy of the foregoing document described as **DECLARATION OF JASON SMITH IN SUPPORT OF PLAINTIFFS' EX PARTE APPLICATION FOR AN ORDER AUTHORIZING SERVICE OF DEFENDANT ONLINENIC INC. BY DELIVERY OF SUMMONS AND COMPLAINT TO CALIFORNIA SECRETARY OF STATE** was served on the party(ies) in this action via facsimile, electronic mail, and first-class mail, postage prepaid, certified, return receipt, addressed as follows:

Rex W. Liu
ONLINENIC INC.
2315 26th Avenue
San Francisco, CA 94116

Rex W. Liu
ONLINENIC INC.
351 Embarcadero E.
Oakland, CA 94606
Fax: 1-510-769-8487
Email: cs-us@OnlineNIC.com

I declare that I am employed by a member of the bar of this Court, at whose direction this service was made.

Executed on September 3, 2008 at Newport Beach, California.

/s/ Linda L. Bolter